

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *et al.*, *ex*  
*rel.* JESSICA PENELOW and CHRISTINE  
BRANCACCIO,

Plaintiffs,

v.

JANSSEN PRODUCTS, LP,

Defendant.

Civil Action No. 12-7758 (ZNQ) (JBD)

**ORDER**

**OURAISHI, District Judge**

**THIS MATTER** comes before the Court upon Defendant Janssen Products, LP's ("Janssen") Motion for Judgment as a Matter of Law ("Rule 50 Motion", ECF No. 473), Janssen's Motion for a New Trial ("Rule 59 Motion", ECF No. 474), and Relators Jessica Penelow and Christine Brancaccio's (collectively, the "Relators") Motion for Entry of Judgment (ECF No. 475). Relators opposed Janssen's Rule 50 and Rule 59 Motions (ECF Nos. 481, 480), and Janssen replied (ECF Nos. 485, 486). Janssen opposed Relators' Motion for Entry of Judgment (ECF No. 479), and Relators replied (ECF No. 488.) The Court has carefully considered the parties' submissions and decides the motions without oral argument pursuant to Federal Rule of Civil Procedure 78 and Local Civil Rule 78.1. For the reasons set forth in the accompanying Opinion,

**IT IS** on this **28th** day of **March 2025**, **ORDERED** as follows:

1. Janssen's Motion for Judgment as a Matter of Law (ECF No. 473) is **GRANTED IN PART** and **DENIED IN PART**.

- a. Janssen's Motion for Judgment as a Matter of Law is **GRANTED** with respect to Relators' state law claims.
- b. Janssen's Motion for Judgment as a Matter of Law is **DENIED** with respect to Relators' claim for off-label promotion under the federal False Claims Act.
2. Janssen's Motion for a New Trial (ECF No. 474) is **DENIED**.
3. Relators' Motion for Entry of Judgment (ECF No. 475) is **GRANTED IN PART** and **DENIED IN PART**.
4. The Court will enter a **FINAL JUDGMENT** consistent with this Order.
5. The Clerk of the Court shall close this case.

s/ Zahid N. Quraishi  
**ZAHID N. QURAISHI**  
**UNITED STATES DISTRICT JUDGE**